

QUID NOVI

McGill University, Faculty of Law
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THE SUNSHINE ARTICLE

by Alison Glaser (Law II)

Did ya miss me?

Sorry for the lack of sunshine for the last couple of weeks. As many of you know, I had the privilege of being the assistant director for Actus Reus's production of Rumors (you guys are awesome!) Anyway, between long rehearsal hours and an even longer cast-party recovery time I was unable to write for you. So, I'm sorry. But I'm back now. And now, I will take the time to answer the age old question: what would have happened had the Beatles come to law school?

...

She was just seventeen/ you know what I mean/ and we met our minds/ and then made up a contract/ how could I know that her age (woo)/ would vitiate her consent?

...

When I find myself in times of trouble/ not knowing what scheme to construct/ I look for the answer/ in usufruct/ usufruct, usufruct/ usufruct, usufruct/ never used but so important/ usufruct

...

Rocky raccoon/ went into his room/ only to find Gideon's Bible/ Rocky had come/ equipped with a gun/ to shoot off the legs of his rival/ but does the gun mean/ he came to the scene/ with the killing intention/ he was willfully blind/ and reckless besides/ to bring it in that situation

...

There are judgments I'll remember/ all my life/ though some are strange/ some have tests and some have precedent/ some say the same thing/ on every page

...

Don't read me down/ Don't read me down/ Don't read me down/ Don't read me down/ Whatever happened to framer's intent/ framer's intent/ their intent/ Why don't they just say what they meant/ what they meant/ what they meant?

...

Droit civil, droit commun/ sont des mots qui vont tres bien ensemble, tres bien ensemble/ we do not compare, we think about the ab-stract meaning/ transsystemia

...

Yesterday/life was such an easy game to play/ now I need a place to hide away/ oh I believe in yesterday/ suddenly/ I don't know what it is I think I see/ Foundations has made me think about things differently/ Oh I believe in yesterday

...

We all live in divided co-ownership/ divided co-ownership/ divided co-ownership

...

Hey you/ don't knock me down/ you owe me a/ duty of care/ remember to let me into your heart/ because I am/ your friendly neighbour

...

Ok, I'm done now. Sorry for getting all the songs stuck in your heads. ■

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EDITORIAL

by **Andrea Gorys (Law II)**
Co-Editor-in-Chief

After a long hiatus, which included working on the play, Alison Glaser is once again gracing the pages of the Quid Novi. Now it may seem a little unconventional to have an article as the cover page, however, we had no cover and you guys are just giving us soooo much material, i figured why not!

Many of you have been asking me where has the Sunshine article been so i thought i'd celebrate its return with a welcome back cover. Also, you know the expression a picture says a thousand words? well, after many responses by our readers of how they could vividly imagine what Alison was writing, it seemed fitting to use her words to convey the image for us this week.

On another note, it's awesome to see so many people having so much to say. This is our biggest issue this year with so much varied content readers are sure to find something there to like. I know in the midsts of factum writing, recruitment, career days and whatever else is going on in your life it might be hard to take a moment to sit at your desk and write something, so to all of those who have, thank you.

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<http://www.law.mcgill.ca/quid/epolicy/html>.

Contributions should preferably be submitted as a .doc attachment.

LES BONNES FILLES NE SE FONT PAS LAPIDER: RÉPONSE À L'ÉDITORIAL DU 30 JANVIER

par Karina Kesserwan (Law IV)

En lisant l'éditorial de la semaine dernière, signé par une certaine Caroline Briand, j'ai été choqué et révolté dans le plus profond de la dignité féminine. J'ai bien tenté de réagir comme une dame et de ne pas m'abaisser à quelque chose d'aussi masculin que de répondre publiquement à une offense. Cependant, vu le dommage causé par les mots de Mme (je devrais l'appeler Mlle pour rappeler à tous son (malheureux) état civil, mais connaissant son mode de vie immoral, je ne puis insinuer qu'elle soit encore jeune fille) Briand je n'ai pu m'empêcher de délaissier pour une heure des activités qui me passionnent vraiment, comme recurer le plancher de la salle de bain et cuire des tartes, pour écrire à votre journal. J'ai choisi de rédiger cet article tel que l'on m'a appris à le faire chez les sœurs, c'est-à-dire avec une introduction, les arguments logiques et la conclusion, afin de bien démontrer les mérites d'une éducation religieuse classique où le dogme prédomine sur la réflexion personnelle.

Introduction

Dans son éditorial, la rédactrice en chef (quel poste inadéquat pour une femme! Chroniqueuse dans la section des recettes de

cuisine ou de bonnes manières, va encore, mais diriger une équipe, s'occuper des relations publiques, superviser les finances...c'est tellement...oh...peu féminin. Et puis quelle idée de féminiser les noms des professions!) a laissé entendre que l'égalité entre hommes et femme n'était pas encore atteinte au Québec. De toute évidence, la rédactrice en chef est une...ah, non, je n'ose le dire...une fff...une fééé...une féministe! (Que Dieu lui pardonne...et me pardonne également d'utiliser un langage aussi ordurier) Je me dois de dénoncer son erreur par les arguments qui suivent.

Arguments

Les femmes ont le droit de choisir

Dans un premier temps, la rédactrice en chef dénonce la lapidation comme étant une atteinte aux droits de la femme. Cela me bouleverse tout particulièrement puisque la lapidation est pratiquée par au moins deux de mes trois religions. Comment Mme Briand peut-elle m'enlever mon droit fondamental d'être lapidée! Ne peut-elle pas envisager qu'une femme puisse CHOISIR d'être lapidée? Or, les féministes, tout en prétendant de lutter pour les droits des femmes,

infantilisent celles-ci et limitent leur liberté de choisir pour elles-mêmes. Mme la rédactrice en chef sait-elle que la lapidation me permettrait de sauver mon âme des flammes de l'Enfer si je commettais un crime affreux, tel de céder à mes impulsions...je n'ose pas le dire...ssss....séééé....sexuelle s? Dire que la limitation de la sexualité féminine fait partie d'une société « archaïque » est totalement ignorant! Une femme peut (et doit!) choisir d'être chaste en dehors des liens sacrés du mariage et choisir de subir les conséquences de ses écarts moraux. (Évidemment, on comprend bien pourquoi la rédactrice en chef est contre une telle mesure!)

Les femmes n'ont pas le droit de choisir

Dans un second temps, Mme la rédactrice en chef plaide en faveur de l'aaa...avvvooooo...ah non c'est trop dur...avortement. Croit-elle que la femme a un droit sur son corps?? Ne se rend-elle pas compte que le fait d'être enceinte est le plus bel accomplissement dans la vie d'une femme? L'objectif ultime de son existence? Comment une femme peut-elle refuser un tel don du Ciel! Il est bien normal que les bouchers qui pratiquent de telles interventions doivent se cacher. Par

ailleurs s'ils n'affichent pas ouvertement leurs adresses c'est qu'ils ont honte! Il en va de même pour les centres d'aide aux victimes de viol (l'agression sexuelle est un terme inapproprié puisqu'il sous-entend que la femme se fait agresser, quand en fait, c'est elle qui séduit son pseudo agresseur) qui aident aux femmes immorales de camoufler leurs égarements. En effet, ces femmes qui ont eu un écart de conduite (et qui prétendent ensuite ne pas y avoir consenti!) n'ont mieux à faire que de prendre leur trou. Après tout, les bonnes filles ne se font pas violer!

Les femmes ne sont pas inférieures, juste différentes

Je ne vois pas comment on peut continuer de nier, au 21^{ème} siècle, que le cerveau de la femme est plus petit que celui de l'homme. (J'applaudis par ailleurs l'excellent journaliste Borat Sergiev, qui a osé enfin l'affirmer haut et fort dans son documentaire) Toutes les études récentes reconnaissent la différence entre le cerveau masculin et féminin. Cela confirme ce qu'on sait tous déjà : les hommes sont plus intellectuels et les femmes plus émotives. Le cerveau de la femme est conçu pour s'occuper des enfants, de la cuisine, du lavage et des crottes du chien (tandis que

celui de l'homme est beaucoup plus adapté pour diriger, manger du steak et écouter le hockey). Bien sur, la faculté de droit de notre université accepte, depuis des années, des femmes. Il est cependant bien entendu que leur admission a pour unique objectif de leur permettre de rencontrer des jeunes hommes éduqués de bonne société avec qui elles pourraient éventuellement convoier en justes noces. La preuve de cela : le pourcentage d'avocates est clairement inférieur à celui des étudiantes en droit et celui des avocates associées est grandement inférieur à celui des avocates sociétaires. La rédactrice en chef elle-même n'a-t-elle pas concentré ses efforts des quatre dernières années à se trouver un parti convenable? Son plus grand accomplissement au terme de ses études n'est-t-il pas d'avoir corrompu un jeune étudiant par ailleurs fort respectable? Car oui, même si Mme Briand vit dans le péché, elle n'a pu se dégager de ses impulsions féminines!

Les femmes ne sont pas différentes : elles sont toutes pareilles

Mme la rédactrice en chef, affirme qu'on apprend aux jeunes étudiantes de ne pas répondre à des questions concernant leur envie d'avoir des enfants lors des entrevues. Cela va de soi! Il n'y a nul besoin de réponse à une telle question : toute femme veut bien évidemment devenir mère! Cependant, une dame bien élevée ne parle pas de sa vie reproductive en public. On ne peut toutefois reprocher aux cabinets d'avocats de poser la question puisqu'une fois mère, l'employée en

question ne sera plus en rien utile à l'entreprise car son cerveau va rétrécir et son envie de poursuivre une carrière disparaître à tout jamais. Il n'y a nul besoin de rappeler ici ce que nous avons tous appris en biologie à l'école secondaire : la femme conçoit un enfant toute seule lorsque Dieu bénit son mariage et c'est pour cela que le rôle de mère lui incombe. Avoir des enfants n'est pas une chose quoi risque d'arriver à des avocats mâles : peut-être leur épouse en aura-t-elle, mais en quoi ça les concerne et comment cela peut-il influencer leur carrière? Cette prétendue « inégalité » lors de l'embauche n'est que la reconnaissance et le respect de la condition féminine.

Les féministes doivent être blâmées pour tout

Finalement, Mme Briand s'insurge contre les messages publicitaires qui seraient dégradants pour la femme. Mme la rédactrice en chef a-t-elle besoin de se faire rappeler que c'est justement la soi-disant libéralisation sexuelle de la femme qui a amené le résultat qu'elle peut ainsi constater? Voit-on ce genre de publicités dans les pays respectueux de la femme telle l'Arabie saoudite? Voyait-on ce genre de publicités à l'époque de la vénérée reine Victoria? Ces publicités auraient-elles même été possibles à produire si la famille et la société continuaient à exercer un contrôle strict sur les femmes et si le monde du travail leur était fermé?

Conclusion

En conclusion, notre faculté a été créée pour permettre à de jeunes hommes de bonne famille de poursuivre des études prestigieuses et d'exercer une profession respectable et bien rémunérée. Elle n'a pas été créée pour solliciter la réflexion ou défendre les droits des personnes qui n'ont rien demandé. Cette faculté a pour mission de sauvegarder les valeurs de notre société et non pas pour remettre en question ses piliers-mêmes. Par ailleurs, le *Quid Novi* est là pour divertir la population étudiante et non pas pour la fatiguer avec des réflexions maladroites d'une femelle émotive et visiblement frustrée. Pour toutes ces raisons, je demande des excuses à Mme Briand!

Sources

Évidemment, je n'ai pas réfléchi pour écrire cet article. Tous les arguments qui y ont été présentés ont été tirés, entre autres, des sources suivantes que je vous encourage à consulter :

Pour apprendre à agir comme une dame et résister aux idées anti-féminines : *Ladies Against Feminism* <http://www.ladiesagainstfeminism.com/>

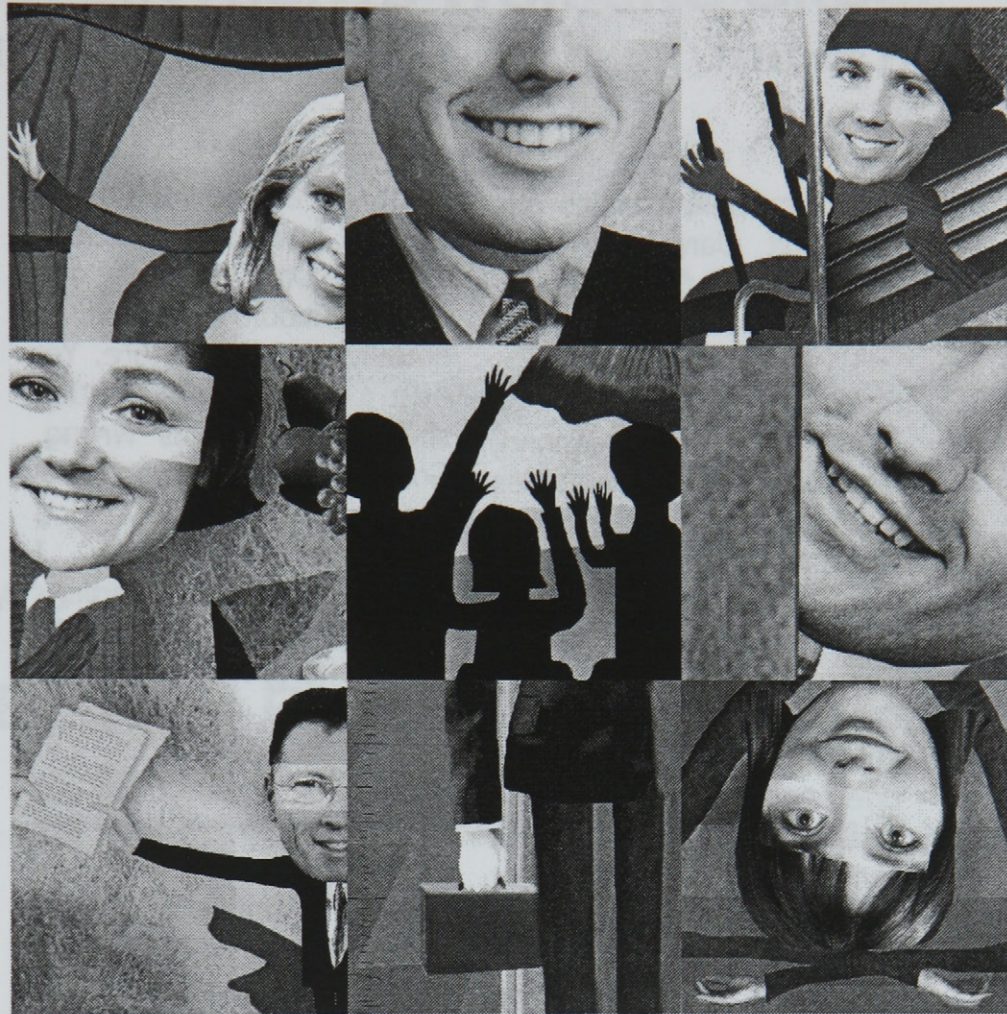
Pour s'informer comment le féminisme ruine la vie des femmes en limitant leur droit de choisir : *Independent Women's Forum* <http://www.iwf.org/>

Pour être au courant des études récentes sur les différences du cerveau féminin : "The Female Brain," Louann Brizendine (site web <http://www.louannbrizendine.com/>)

Pour constater que les féministes elles-mêmes

avouent que l'hypersexualisation des femmes est leur propre erreur : « Hypersexualisation des filles - Échec du féminisme ? Gazette des femmes », Vol. 27, no 2, Septembre-Octobre 2005, p. 15-26 (disponible sur le site web <http://www.gazettedesfemmes.com/>) ■

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CECI N'EST PAS UN CAMPUS

par Julien Morissette (Law III)*

C'est un cap, c'est une péninsule, c'est une métropole! Le campus de l'*University of Arizona* est un polygone dont le périmètre fait environ 6,3 kilomètres. En ligne droite, on peut marcher environ 2,3 kilomètres sans sortir du campus. Bref, de quoi sérieusement se muscler les mollets!

L'intégration du campus dans le tissu urbain est très inégale. Imaginez le décor: au milieu d'un quartier banlieusard assoupi, on balance quelques bâtiments historiques, quelques modernes, une perspective qui ressemble au *National Mall* à Washington, des résidences d'une dizaine d'étages, un stade de 56 000 places, des frat houses, des bars poussiéreux, des cafés pimpants, etc.

Le campus est grand, varié, plutôt agréable mais sans réelle unité. Ma résidence est comme ces produits nouveaux et améliorés que l'on nous vend à la télé. Bon prix, bon confort, mais autant d'individualité que la brebis Dolly. Quant au bâtiment principal du *College of Law*, c'est un bon exemple de la variante méridionale du style néo-brutaliste. Pour ceux qui ne connaissent pas, c'est le style du tout béton, mieux adapté aux francs-tireurs de Sarajevo qu'aux étudiants avides de connaissances. Juste à côté, le bâtiment où j'ai un espace de travail est une maison en

brique rappelant celles que l'on voit dans les villes industrielles du Nord-Pas-de-Calais. Je vous jure, ça jure!

Si le campus n'a pas eu de Baron Haussmann, quelqu'un a eu la bonne idée d'aménager des pistes cyclables et des voies pour vélo sur les grandes artères. Nous sommes loin de la Chine et des Pays-Bas, mais dans une civilisation hyper-automobilisée, le campus est une enclave de cyclistes résistant encore et toujours à l'envahisseur. Il y a tellement de vélos stationnés à ma résidence qu'il faut que je sois créatif pour trouver un endroit où laisser le mien.

Pour les visuels de ce monde, cherchez les coordonnées 32°13'45.82 Nord 110°57'32.45 Ouest sur Google Earth. Ô surprise, la résidence où j'habite n'existe pas encore. Peut-être que c'est ça, un pays neuf...

If some countries have too much history, we have too much geography.
- William Lyon Mackenzie King

*Julien Morissette est en échange à l'*University of Arizona*. Suivez ses aventures en ligne: www.julienmorissette.com ■

EAST OF CALIFORNIA

by Julien Morissette (Law III)*

We all know the myth. American society, some say, is one uniform middle class, with an equally uniform culture. Yet even casual observation shows that this is wrong. Going around Tucson, Arizona with my lab coat and electronic microscope, I found that *homo sapiens sapiens* has at least five subspecies here, with occasional crosses.

Studentus: Mostly from out of town and often from out of State, it appears *en masse* between August and May. Females tend to have dyed blond hair and wear fur boots with mini-skirts. Males favour visible boxers and the backwards cap. Occasionally uses strange expressions, such as "uh-uh" instead of "you're welcome". Those present in the international trade law LL.M. are from many countries, except the United States!

Mexicanus: Found everywhere, but not in highly visible concentrations. Hard working, usually owns a shop or an Indian or Greek restaurant. Benefits from some services in its own language, especially that of removal to Mexico.

Midwestus: Tends to be paler than the others. Moved here because it was a better grazing ground, but misses the simple life of Missouri. Tries to forget about the presence of the *studentus*, *mexicanus* and *hippius*.

Pensionus: Present year round, but the population increases during the winter. Burrows in the suburbs near hearing aid retailers. Drives obnoxious SUV's, but kindly volunteers to orient lost *studenti* at the beginning of each term.

Hippius: Owns a used clothing store on 4th avenue and distributes do-it-yourself impeachment packages for the *presidentus*. Provides others with organic goods, but may smoke too much of the stock.

Lorsque l'inégalité des conditions est la loi commune de la société, les inégalités les plus marquées ne frappent pas le regard.
- Alexis de Tocqueville

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MCGILL LAW

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THANK YOU TO THE LSA, PARAGRAPHE BOOKS,
PA SUPERMARCHÉ AND PINO'S FOR
THEIR GENEROUS CONTRIBUTIONS TO THIS EVENT.

CONFESSIONS OF A RECOVERING LOUDMOUTH

by XXX (LAW XX)

To a certain extent, everyone loves to hear the sound of his or her own voice. Aural pleasures that come from sharing one's thoughts with others are sweet indeed: the satisfaction of participating actively in engaging dialogue and the gratification of *being heard* may stir even the quietest of people to conversation under the right circumstances.

However, verbal indulgence borders on obscene in some settings.

Take student interventions in first year law school lectures. Our classes are replete with Type A's, teeming with over-achievers, positively bursting with students who ruled the roost during past academic endeavours. The convergence within these hallowed halls of LOUD people, or at least opinionated people, is of orchestral proportions.

During my first week at McGill, a third-year student I was chatting with at an event asked me with a gleam in his eye, "How are you finding your classmates? Isn't it incredible to be surrounded by people *exactly like you*?" His question was marked with equal parts delight and disgust.

Another remark from the early days of law school remains fixed in my memory. A friend of mine accompanied me to a social attended largely by law students. He later told me that he found the evening interesting and

enjoyable, but expressed fascination with the way "everyone in the room talked non-stop, the entire night, and didn't listen to anyone else while they were doing it."

The final words in this trilogy are the most disturbing, and I fear may be the most universally applicable. They came on the first day of school, from a professor who shared with my class a concern that discussions in the Faculty are still undeniably dominated by male voices. "It seems," she opined, "that despite all the advancements we've made in the fight for women's equality, men still speak out far more than women in class. I'm not sure what exactly to do about it, but I think it's important to be aware of such a dynamic, and I'm hoping it will change."

Early in the semester, a frightening recognition of the accuracy of these three observations set in. Patterns emerged in most classes of a handful of people speaking without fail in every single lecture. Repeat contributors often brought valuable insights or helpful questions to lectures, but sometimes, it seemed they were asking a question or sharing their thoughts aloud simply for the sake of being heard.

I felt myself growing ever more silent as the talking circles narrowed. At the same time, I experienced a chilling realization that the unyield-

ing voices alienating me mirrored my own from another life. In many of my undergraduate classes, I behaved as one of those people now causing me discomfort in law school. I was frequently overconfident. I was often under-prepared. And I was usually ready to share my thoughts indiscriminately. To make it worse, I swelled the disproportionate ranks of overactive male voices, likely helping to create an environment that perpetuated gender imbalances.

In some ways, I wish I could remain one of the Chatty Cathys [or should I say Chatty Charlies?] I am attempting to prod gently into self-reflection here. Frequency of classroom interventions often reflects a student's solid preparation and enviable comprehension of material being covered by an instructor. Many of us do breathe quiet sighs of relief when a colleague braves the deafening silence to respond to a professor's unanswered question. Our relief is matched with a healthy degree of respect and approval when an intervention helps clarify a concept or guide the lecture in a desirable direction.

I'm sure some of my more talkative colleagues have simply vowed to maximize their learning experiences by participating in class regularly, asking questions whenever they arise, and attempting to stimulate back-and-forth with their profs. At

the crudest level, this might be viewed as an exercise in economy. Why pay good money to spend three years passively absorbing a legal education?

What leaves me still feeling uncomfortable, though, are the blind, reckless interventions. They seem to reflect a sense of entitlement or a failure to acknowledge the collective nature of our scholastic environment. If there's one thing I learned last semester, it is that the legal world is full of frameworks for problem solving. So, as a recovering loudmouth, I decided that I would try to develop some guidelines for deciding when and how I might intervene in future classes.

Acceptable motivations for classroom interventions

(Compelling independently of each other, or in concert)

1. High degree of preparation and comprehension of materials at issue:

Have I done my readings? Do I have something to add to the discussion which I feel will enhance the quality of the exploration of materials and themes at issue? Most importantly, will my intervention be of interest or assistance to my colleagues, or is it something I might be more considerate to share with the professor during office hours or after class?

2. Sincere desire to have a question or comment ad-

dressed by professor and/or classmates:

Am I posing a question or sharing commentary simply for the sake of speaking aloud in class? (A good indicator of the sincerity of someone's desire to engage through classroom interventions is whether or not they return to a game of free cell or online news browsing immediately after speaking out.)

3. *Valiant attempts to save classmates from painful silence and a professor's glare:* This one, although the least compelling of justifications for intervention, is always welcome in situations when eyes dart across the room, as if saying "I didn't do my readings! Please, someone, save me!" The insight and quality of commentary is negotiable when things reach this point. On such occasions, I admittedly often in-

clude myself as one of the silent, thankful masses. Depending on the nature of the intervention and the length of the preceding silence, I'm sure professors are thankful as well.

My criticisms and advice are rendered here with a loving and empathetic pen. I do hope I have provided some food for thought, which might help promote a greater array of voices echo-

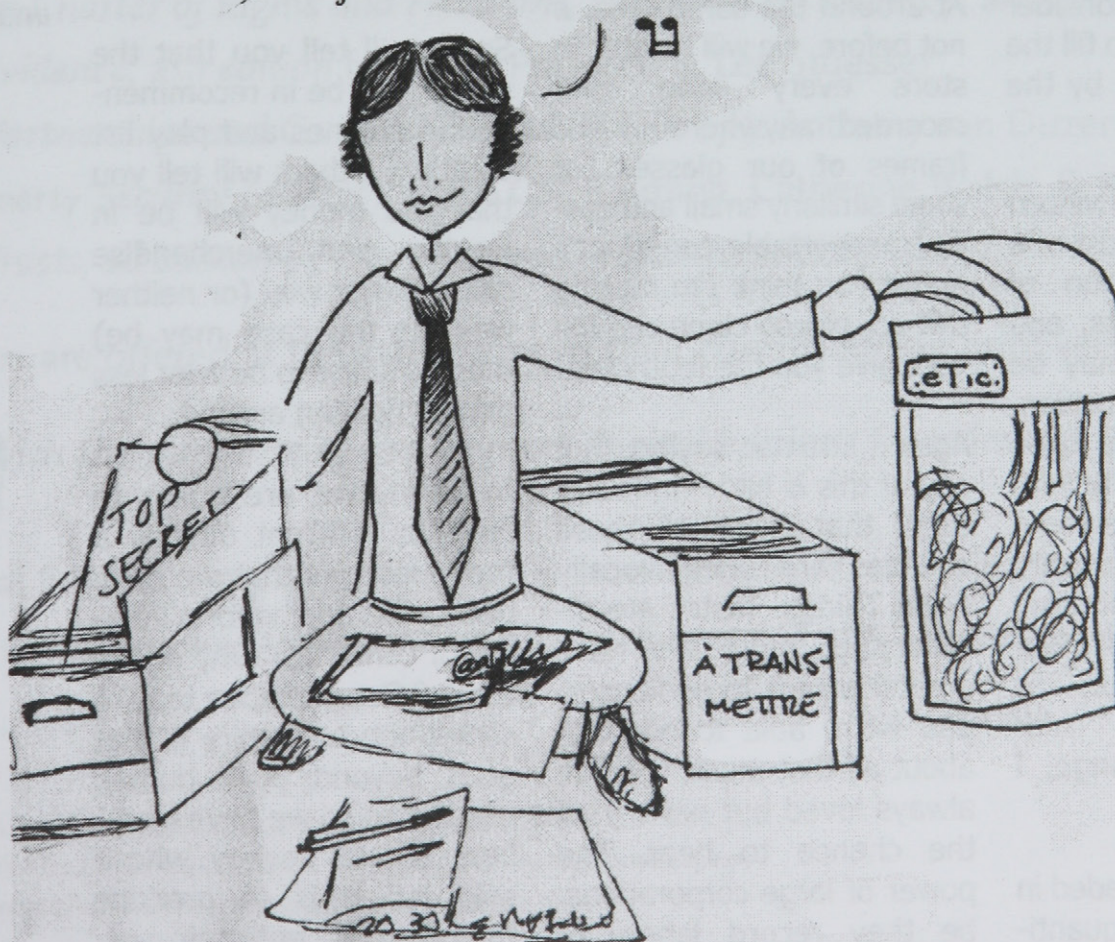
ing in first-year classrooms. I remain hopeful that diversification of discussion participants will occur naturally over the course of our legal education, but the sooner it flourishes, the better. ■

LES AVENTURES DU CAPITAINE CORPORATE AMERICA

Déchiqueteuse, de papes

Par: Laurence Bich-Carriere (Law III)

♪ Les feuilles mortes se ramassent en appel ♪
Un peu de ménage évite le désagréable discovery
Mais mon client mal pris, sois fidèle
Souris toujours et remercie ton avocat chéri



THE SQAURE: For your listening pleasure

by Nick Dodd (Law II)

There is a crisis occurring right now, as we speak, throughout the Western world.

No, it's not the critical mass that belief in global warming (I insist on using this term – less sanitized for listening pleasure) has suddenly achieved. I refer, of course, to the imminent destruction of the music industry as we know it. Some of you may be tempted to cheer and join the ticker-tape parade. In fact, I count myself among you. However, before digging into the cheap boxed wine and cranking up the pirated mash-ups (What? Well how do you fill your weekends?) perhaps we should take a moment to consider what we will create to fill the space being vacated by the dying behemoth.

For those of you unconvinced that we are in the midst of a complete reformulation of how we make, access, and consume music, it may be time to rethink your position. A month ago I would have agreed wholeheartedly with your stance and labeled anyone who argued the contrary an apologist for capitalism (as incarnated in the big four music labels). But, as Keynes famously said: "When the facts change, I change my mind."

Music is being downloaded in exponentially greater quanti-

ties each year and very, very little of it is being paid for. Hit records are becoming fewer and farther in-between – not because music is any less popular, but because music fans are diversifying their listening habits and/or getting the "big hits" for free.

Digital Rights Management and other efforts to control music through its liberator (technology) have failed miserably. As a result of all this, the big record labels are finding that space between the rock and the hard place getting uncomfortably small. Furthermore, it will not be too long until every song ever recorded anywhere will be available via the internet.

At around the same time, if not before, we will be able to store every song ever recorded anywhere in the frames of our glasses (or some similarly small and easily transportable container). And if you think I'm making this up, please come see me – I'll give you the footnotes.

Again, I'm not saying that any of this is bad – in fact, I think that most of these changes are unequivocally Good Things. Tastes are diversifying, musicians have greater access to audiences, and we're able to find out about all that music that we always loved but never had the chance to hear. The power of large corporations, be they record labels or

broadcasters, to play tastemaker wanes by the day. Services like Myspace, Pitchfork and its contemporaries, and recommendation engines continue to broaden our musical horizons and the possibility of a truly organic "market" begins to peek its way into reality.

Vive la revolución siempre, no? Yes – but with a note of caution. It is possible, should all of this come to pass, that no one involved with music would be getting paid anything. With physical limits irrelevant, I could own all the music of the world, adding freely to my collection each new composition immediately after its creation. Where is the money in that?

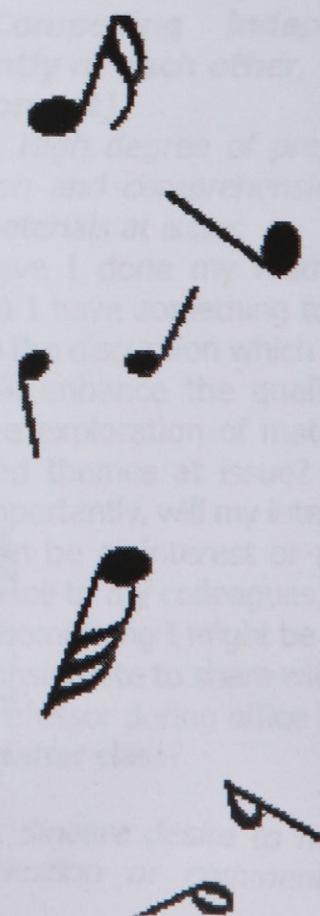
Some will tell you that the money will be in recommendation engines and play list creation. Others will tell you that the money will be in touring and merchandise sales. Either way (or neither way, as the case may be) there is going to be a lot less money floating around.

In short, we are going to have to confront directly a few questions that we have been sidestepping for a number of centuries. Why do we create? Does creation require something to inspire it that goes beyond pure human need? Should we have members of our society whose sole job it is to produce things that entertain us,

make us think or adorn our walls?

While the above may sound like the syllabus of an incredibly banal philosophy course, these are, in the end, the questions that we are going to have to re-answer in the coming decades. And the responses we come up may prove to be a hard fit with a society whose very imagination has been colonized by the language of the market.

Fortunately, exploring these questions is something that is much better off done in the small venues and questionable drinking establishments of this fine city than the rarefied atmosphere of our ivory tower. Let the re-imagination begin ... ■



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FYI: MORMONS ARE NOT POLYGAMOUS

by Jarom Bitton (Law IV)

I am a Mormon. A practicing Mormon. Depending on whom you ask, a devout Mormon. And I am not polygamous. Nobody I know is polygamous. And nobody I know believes polygamy is okay.

I was disappointed to learn that one of this year's factum problems features a character described as a "practicing", "devout", "well-read" Mormon who is polygamous and an advocate for legalization of the practice. She was allegedly married in a "religious Mormon ceremony". Later on in the problem it is mentioned that her "branch" of Mormonism is not "fully" recognized by "most" of the Mormon faith.

These facts are misleading. When people refer to the Mormon Church and talk about Mormons, what they are usually thinking of is The Church of Jesus Christ of Latter-day Saints (LDS Church, for short) and its members, properly known as Latter-day Saints. Mormon is only a nickname (a nickname that actually used to be a very insulting thing to call a member of the Church). The factum character's and other polygamous groups (sometimes collectively referred to as Fundamentalist Mormons) are not *at all* recognized by *any* of the members of the LDS Church. The fact pattern states that the group is a "splinter branch" but fails to make clear that Mormons, typically understood to mean the Latter-day Saints, differ

considerably in doctrine from these groups (particularly with regard to polygamy) and do not simply refuse to accept their legitimacy.

I recognize that the TL's and professors in charge of the program who drafted the factum problem meant well and consciously tried not to offend and I am optimistic that an arrangement can be worked out to correct the problem. However, in order to clarify things, I feel some elaboration is necessary.

Many people, especially here in Quebec, do not understand the distinction between the LDS Church and these polygamous groups, so when they hear sources inaccurately referring to these groups as "Mormons" they misattribute the practice and generalize it to the LDS Church. It is precisely because of this confusion that the Associated Press specifies that the term "Mormon" should be applied exclusively to members of The Church of Jesus Christ of Latter-day Saints and not to any other person or organization. Most press services and media outlets follow these guidelines and refer to "polygamous groups", "polygamous sects" or "polygamous churches" in their coverage. Many of them do not even mention Mormons or the LDS Church in their stories. Polygamous groups are not dissident wings or splinter branches of the Church; they are completely distinct and separate organizations.

Saying that these polygamous groups are Mormon is like saying Jehovah's Witnesses are Catholic. It's false. While there are some common elements, the faith groups are radically different in their beliefs, practices and lifestyle and have nothing to do with each other. The life I live as a Mormon is so different from these polygamous groups that there really is no comparison. According to the estimates available (hard figures are hard to come by, given the illegality of polygamy) there are roughly the same number of these types of polygamists in the world as there are students at McGill. Compare that to Latter-day Saints; within the next five years, there will be more Latter-day Saints in the world than there are Jews.

The LDS Church banned polygamy in 1890. While a form of polygamy, referred to as plural marriage, was permitted for a few decades prior to this time, it was heavily regulated, practiced only by a minority of members and was never considered necessary to be a member in good standing either with God or the Church. Unlike the present day groups, women were never forced into arranged marriages, consensus was required, and children were not married off to much older men.

For the record, the following is the official position of the LDS Church regarding polygamy. In 1998, referring to these polygamous groups, the president of the Church, Gordon B. Hinckley, stated:

"I wish to state categorically that this Church has nothing

whatever to do with those practicing polygamy. They are not members of this Church. Most of them have never been members. They are in violation of the civil law. They know they are in violation of the law. They are subject to its penalties. The Church, of course, has no jurisdiction whatever in this matter.

"If any of our members are found to be practicing plural marriage, they are excommunicated, the most serious penalty the Church can impose. Not only are those so involved in direct violation of the civil law, they are in violation of the law of this Church. An article of our faith is binding upon us. It states, 'We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law.'"

Even in countries where polygamy is allowed, the Church condemns it in the strongest terms possible and will excommunicate any member who practices, encourages, or supports it.

I would refer interested readers to the Church's online newsroom that discusses the Church's position more fully in light of recent stories in the press: <http://newsroom.lds.org>. (Click on "Commentary" or "Comments on the News" and scroll down the page to the article "Use of the Word Mormon in News Reports" from 21 November 2006)

I would also be more than willing to discuss LDS beliefs and practices on this or other subjects with anybody who has any questions about it (unfortunately for you second years, none of that will

help you with the issues you've got to address in your factum).

I have heard a lot of crazy things about Mormons in my lifetime. I've heard that I worship rocks and that I boil babies. I've heard that we throw virgins off of our temple in Salt Lake City into the Great Salt Lake (not easy since the temple is over 25 kilometres from the lakeshore). I could go on. The point is, people say a lot of things that are patently false or intentionally misleading and a lot of other people are taken in and inadvertently end up perpetuating untrue, offensive, and hurtful myths. I find the polygamy myth, probably because of its pervasiveness, particularly tiring and frustrating. I abhor the practice of polygamy and so does my religion. How much clearer can we make it? You would hope that after over a hundred years, people would understand. ■

PUBLIC
INTEREST
Career Day

Wednesday
February 7,
2007

LAMENT FOR A DEVELOPED NATION

by Alex Herman (Law II)

Oh, how I miss the golden years. Though they weren't all too long ago, I somehow feel no work has been done to bring them back – and few seem to notice they're gone. The sports analogy is pertinent. If a team with a succession of first-place finishes lets the streak slip for a few seasons, we forgive it. We understand the need for "transitional years" to rebuild with new energy and fresh, young players.

But sometimes it becomes frighteningly clear that our team may never return to the limelight. I'm talking, in this instance, about a country. That's right: Canada. The United Nations Human Development Index, the list that placed Canada in the top spot nine times between 1990 and 2000, now has our beautiful, fair and just country loitering around the number six spot. Sixth! I remember when my parents used to sit me down and moralize about how lucky I was to be born where I was and when I was. When I asked for proof, they pulled out the trusted UNHD Index and pointed to our long-standing tradition at the top of the list.

Now, I am saddened to think that we have lost our pole position to arriviste countries like Ireland and Iceland. Not only does it suggest that Canada is less beautiful, less fair and less just than those unfamiliar places, but – far worse – it has undermined my childhood conception of the universe. My understand-

ing was that our high standard of living had been well-earned; it was the reason why we braved interminable winters and why we accepted mediocre performances from our Olympic teams. Everything was justified because we could smile and, though we had no palm trees and though our volleyball team was sub-par, under our breath mutter that at least we lived in a country better than all others.

But now – oh – how my illusions are shattered. Cursed UNHD, with your "added categories" and your Scandinavian bias. I yearn for the days when the title of "highest developed country" actually meant something, when we could bask in the glory of a state that balanced capitalist urges with egalitarian sentiment, progress with the environment, the individual with the collective. And when that state was ours alone. Was the air not cleaner then, the fruit not sweeter?

When I saw in the *Quid Novi* a few weeks ago that Stephen Harper once again claimed that ours was the "greatest" country in the world – a line oft repeated, when it actually meant something, by the likes of Pierre Trudeau and Jean Chrétien – this time it rang false. It was a hollow claim. Surely, he knew the real, post-2000 numbers. Unless his "world" doesn't include Australia, Sweden and Norway, he was lying.

The Prime Minister should not be allowed to take credit

for a falsehood. Instead, his government should be accountable for our ranking on the world stage. At the very least, they may have to shovel some of the dirty blame onto the graves of their predecessors, an action with which they seem well acquainted. At the most, the government should be watching the UNHD Index as though it were the Dow Jones, all the while trying to increase our stock price.

With the population again comforted by the knowledge that we're back on top, a government could explain away any short-coming with relative ease. Just think of what the politicians got away with in Norway, when the latest UNHD Index placed that cold, oil-rich country on top. The Minister of Aid made an immediate declaration, telling all three-million Norwegians to stop complaining about those things they usually complain about:

"There are unsolved problems in Norway, but let us battle this culture of whining, and look at the future with optimism."

The Canadian government could follow the same example. Our mission in Afghanistan is struggling? Stop whining, we're number one. The oilsands are single-handedly raising the earth's temperature by 5°C? No worries, we're number one. Our 2010 medal count was the lowest ever? Who cares, we're number one. The PQ won a hundred seats in Quebec? Whatever, we're number one.

Good politicians know that to succeed you must make people feel good about themselves. And we can all agree: it's been a while since we felt good about ourselves.

**McGILL FACULTY OF LAW
PUBLIC INTEREST CAREER DAY
Wednesday, February 7th, 2007**

In an effort to increase social justice awareness for our students, all students are invited to attend the 2007 Public Interest Career Day on Wednesday, February 7th starting in the Atrium.

Please come and meet representatives from various organizations that offer work or volunteer opportunities and the mission of which span a range of interests, such as:

human rights
aboriginal law
humanitarian law
legal aid
labour law
international law
foreign affairs and international trade

Representatives from student clubs with a focus on public interest will also take part in the event.

The formula of the day will be as follows:

INFORMATION KIOSKS 11:45 a.m. to 1:30 p.m. in the Atrium

Drop by the booth of the following organizations:

Canadian Red Cross
Éducaloi
Hutchins Caron & Associés
Legal Bureau Department of Foreign Affairs & International Trade
Unite Here – Quebec
Aide Juridique de Montréal
Legal Aid Ontario
Canadian Human Rights Commission
Cavalluzzo Hayes Shilton McIntyre & Cornish
Committee to Aid Refugees
McGill Legal Information Clinic
International Criminal Defence Attorneys Association

PANEL DISCUSSION 1:30 to 2:45 p.m. in the Stephen Scott Room (16)

Attend the panel discussion and take the opportunity to get your questions answered by people in the field.

NETWORKING INTERVIEWS

The CDO brings networking to you! Starting on Monday, February 5, 9:30 a.m., sign up for 15-minute networking interviews (to be held throughout the day on February 7th) on the **sign-up sheet posted at the CDO**. The networking interviews will take place in the lounge area of the Upper Atrium.

Professionals from Canadian Red Cross, Éducaloi, Hutchins Caron & Associés, Legal Bureau DFAIT, Unite Here – Quebec, Aide Juridique de Montréal, Canadian Human Rights Commission, Cavalluzzo Hayes, and Committee to Aid Refugees are generously donating their time.

This career day is a great opportunity to learn about a wide range of organizations that have social justice and public interest as a common theme. Seize the chance and help make this event a success!

Your Career Development Office
In collaboration with the Human Rights Working Group, the McGill International Law Society and other student clubs that have contributed their energy and input into this important event!

Breaking it Down- (Reckless interviews with the wonder around us)

Professor Fox-Decent

Interviewed by Ryan Anderson, LIH

The Professor interviews are back. Professors Saumier, Piper, Antaki, and Campbell have all been kind with their time and graciously satisfied my curiosity about their comings and goings. Like a young little lamb I love to see how these academic titans who so powerfully yet gently cup our futures in their hands came to the space they currently inhabit. I find it both inspires me and loosens me up, reminding me that everyone's journey is uniquely their own, and I'll always take more of that. This will (hopefully) be a regular occurrence, so please send comments and curiosities to instantanderson@gmail.com.

Currently teaching Advanced Jurisprudence and Immigration and Refugee law, Professor Fox-Decent's past and future are mysterious and intriguing. I am now sure that I do not want to be hit by him and that I should forsake all my existential intellectual pretentious and get down and dirty. Corn over Camus, and I can live with that.

The Questions~

Q. So- If a squeegee punk jumps off the curb and cleans your windshield while you idle at a random stoplight, are you morally obliged to pay him? If we happen to be born in a country that deploys a set of social services and assigns us a nationality,

are we bound to pay taxes?

A. Unclear. I hope to have a better sense of how to approach these questions by the end of Advanced Jurisprudence this term.

Q. You play Squash. You box. Why?

A. It's fun to hit things.

Q. Do you believe that the world should strive towards the Free Movement of Peoples with the same ardour that we have sought to lower barriers to trade?

A. No. The reasons in favour of free movement are far more compelling than those cited in favour of free trade, so we ought to seek free movement with greater ardour than free trade.

Q. What are the particular challenges you see for this kind of effort?

A. Racism, nationalism, and fear that migration will erode rather than enrich the world's many cultures. Some barriers may be necessary to protect especially vulnerable minority cultures (e.g., small, First Nation communities), but most political communities (e.g., Canada) cannot plausibly make out such vulnerability.

Q. In your eyes and experience, what is the most significant struggle going on today?

A. Globally, struggles against poverty and hunger must rank near the top of the list. In Canada, the struggle of First Nations to acquire effective autonomy and develop the means to meet their peoples' basic needs is particularly urgent. Aside from the First Nations case, in Canada the most significant struggle in terms of civil and political rights remains ensuring equal concern and respect before the law for non-hetero individuals and their personal relationships.

Q. Does might make right?

A. No.

Q. Do rights surface from a source other than power?

A. I doubt that rights (in any meaningful sense) ever surface from power alone.

Q. Do you sense the presence of a universal...ethic? Morality? I'm not sure what the word would be....

A. For better or worse, human rights discourse occupies something akin to the realm of the universal these days.

Q. Have you ever been seized by a crippling apathy, befallen upon by the temporal relativity of ethics and the Sisyphean futility of human labour?

A. Well, I doubt my moments of apathy could ever be attributed to motives as high-brow as these...

Q. Are the rumours of you as a freedom fighting jungle guerrilla warrior true? Do you have shrapnel lodged in your body?

A. Hahaha...Some remains, but not enough to set off airport metal detectors.

Q. You worked with Noble Prize Nominee Medardo Gomez in El Salvador doing advocacy and relief work- what can you say about that experience?

A. For the most part I worked in corn and bean fields with ex-refugees who were trying to re-establish themselves in the midst of a civil war. I also negotiated food and supply shipments through army checkpoints, and helped secure identity documents for villagers. The experience was at times wrenching, but I'll be forever grateful for the opportunity to know and share in a people's struggle from the inside out.

Q. Who is Senor Gomez, and why were you drawn to him?

A. He was, and still is, Bishop of the Lutheran Church of El Salvador. A victim of torture himself, he supported efforts to resettle refugees who had fled the violence of the war, as well as a human rights legal aid office (bombed several times). He is a hero.

Q. From what I gather, you are from Manitoba. What brought you down to Latin America?

A. The Sandanistas ousted Somoza in Nicaragua in 1979. In 1985 it appeared to me that El Salvador was where the action was. A year and a half later I was able to connect with Bishop Gomez via a Jesuit in Winnipeg versed in liberation theology, so I left university to learn Spanish and see what I could do. I took in-

spiration from the +1400 Canadian volunteers who went to Spain in the late 1930s to defend the republic against Franco.

Q. You've worked for a number of international organizations including the World Bank, the International Development Bank, USAID, Canada's International Development Research Center, the United Nations, and the European Union. What's it like working for these organizations? Can you give any advice to those of us who are interested in trying out something similar? Any warnings?

A. Working for these organizations is sometimes exhilarating and sometimes frustrating. The advice I'd give is to take any overseas opportunity to which your heart feels a call, especially if the opportunity is in a country entering into a phase of transition from war to peace. The energy and enthusiasm surrounding peace agreements and their implementation eventually wanes, so if you have the chance to contribute in the early years, when so much hope is in the air, drop whatever you're doing and take it. Once there, try to work in an office as far from the central HQ as possible; the further you are from the bureaucrats, the more you can do and the happier you will be.

Q. What do you fear?

A. Indifference. The truth alone won't set us free. Only solidarity can do that.

Q. What drives you?

A. A passion to understand the many shapes and contours of justice.

Q. What frustrates you?

A. Injustice, prejudice, intolerance...the usual cast of characters.

Q. What makes you happy?

A. Too many things to mention, but friendship, overcoming adversity, and new insights into old problems come quickly to mind.

Q. What is your favourite word (not for all time, but you know...generally, these days)?

A. Venceremos. (Spanish for "we shall overcome")

HRWG WRITING CONTEST WINNERS

For the second year in a row, the Human Rights Working Group's Media Portfolio organized their annual writing competition. They asked students of McGill University to submit a short story, poem, song or essay addressing the broad theme of human rights. After many quality submissions, the panel of judges selected the top three. They were each awarded a prize as well as recognition on Monday, February 5th in the Faculty of Law's Atrium.

Thanks to all those who participated and volunteered to ensure another successful competition! Here are the selections:

First Place:

A Day in Court - By Coel Kirkby -

A word from the author: Last year I spent a day in the High Court of Cape Town watching an appeal by a young man charged with abetting the murder of several police officers trying to prevent the robbery of an armoured car retrieving money from an ATM. There I saw photographs of the accused, his black back ridden with purpled wounds, which his lawyer claimed were from torture in prison. For me this image captured the senseless brutality of apartheid that perpetuates itself in the dismal shadows of South Africa's new democracy.

He is thin, much thinner than one might suppose for a man accused of acts so bloody and desperate. For four years he shuffled along the brilliant passageways of the High Court, a marvelous building of airy halls and wood trim. Bulletproof metal detectors seem a rude intrusion. Robed barristers hunch in tight bunches, gossiping to quicken their next case or meal. The air is slow here, proper, respectable.

Inside the courtroom the two armed escorts seat him and stoop down to free his manacled feet, then hands. The judge never looks up as he reads out the charges again: Three attempted murders, one murder, one armed robbery and numerous weapons charges. A slammed door rushes a gasp of fresh air into the room and signals the arrival of a woman, equal parts stout and harried. She sidles up to the accused; she is the interpreter, as he speaks neither English nor Afrikaans.

The defence lawyer, a big man, an erstwhile rugby player perhaps, shuffles and taps his papers until he feels the judge's eyes upon him. He rises and reels out a long list of precedents that act as both a soporific and an irritant on the judge. With a quarrelsome yawn, the judge urges him to make a conclusion, any conclusion. He blinks and looks down at his hands, and then he reaches

under his mess of papers and pulls out four or five glossy photographs. Spread out for the courtroom to see, the pictures show the accused, or what he claims is the man in the dock. Ugly bluish scars disfigure his back. His stomach is lit up with angry lacerations. Around his temple and ears are dark, unnatural marks. His eyes cannot be made out. He looks as though he has been pumped full of air at random and dashed haphazardly with a full palette of colour.

The pictures are from shortly after he had first been arrested and interrogated. The marks, the lawyer argues, are the work of his interrogators. The prosecutor's arm twitches, then jerks up in protest. In days previous he had worked hard to undermine the accused's credibility, knowing the damning evidence of state torture would arise. But no quantity of fluid rhetoric can veil the bright photos that betray the dark happenings of that early morning when three policemen woke the sleeping man to answer for his crimes. After each revelation the translator murmurs to the accused in the soft clicks of his boyhood dialect, but he is immovable, hands clasped between his knees.

Allegations of torture blur into a conspiracy theory. The police, the lawyer argues, framed the accused, whether to cover shadowy goings-on or their own inept failings is unclear. The judge rightly gets angry at this blind path and cuts him short. Both lawyers sink back into the seats in the hot room. Words are exhausted and the day ends in a whimper. Indignation is impossible in the heat.

The judge nods and slips out a back door and everyone else rises and leaves. The accused looks up and is manacled again and brought out of the windowless courtroom and down the marbled hallways to an armoured truck idling at the court's entrance.

Outside the court-house a misty rain melts the contours of the downtown buildings into a sky like dusk, though it is early afternoon. Minicabs honk and circle the market square strewn with plastic trinkets, wallets, refurbished cell phones, and food huts where greasy plates are passed from dim smoking holes. People mill about these stalls while others disperse in various directions and clambour into and out of taxis that disappear along the highway to the interior. The armoured car shifts into gear and pulls out to join the traffic and is soon lost to view.

Second Place:

Humanitas

- By Daniel Bertrans -

A word from the author: This piece was inspired by the desire to put into words the immutable quality of that which we describe as "human rights". The piece also seeks to stress the universality of the human experience and the importance of the immutable rights of human beings through time. The piece rejects relativism and calls for action to buttress these rights; this action, namely the defence of a common human birthright (e.g. of aboriginals in Canada or that of women in Kabul), is portrayed as the duty of the contended, who must forego the instant gratification of merely voicing solidarity and

who must instead seek to further the immutable and the universal by means of direct action and support thereof (the context of Afghanistan being particularly in mind).

Humanitas

Reverend, earth-bound
Mother

Have ever your children been
as contended as now?

And yet...

Cries borne

On cold winds from Davis
Inlet and Kabul: 5

Heed and judge, with afflu-
ence comes duty sacred.

A world ever smaller than
imagined

Porous borders cannot divide
what burns within;

Nature, by very right, en-
shrines

Truths through time stitched
deep. 10

No need have these for
Codes

Or vellum scribblings leather-
bound.

Known throughout, in varied
forms

And tongues, and yet they
abide:

In dream and love, in choice
and dignity, in grain and
blood together bound. 15

None are one

Yet none so alien as not to
weep, to dance

And shelter from the storm.

Sing Sappho and Li Bai,
speak Jefferson and Biko: 20

All, together, will cross the
river and rest in the shade of
the trees.

Why speak of rights or laws
to they who carry guns?

Opposing steel with air of
lofty words

Spares not one child

Nor from the throne the
tyrant hauls. 25

Though empathy be strong,

Weak body, mind and heart
beset, cannot

By strength of will alone

Recoup the ills perceived.

How then to heed the cries
of brother and sister, 30

How then to be of use

To those who suffer long

And struggle to redeem their
birthright?

Remember and keep faith
with them, forget pity unre-
quested:

Be strong as they and take a
place beside them in their
fray. 35

Third Place:

Furies of War

- By Albert Chen -

A word from the author: I volunteered in the spring of 2005 to review documents for specific instances where women were raped during

the war in the Democratic Republic of Congo. It was part of a collaborative effort to remind the Chief Prosecutor of the International Criminal Court of the importance of indicting the perpetrators of sexual violence, a crime against humanity. The descriptions and narratives of women as young as ten and as old as sixty being systematically subjected to sexual violence as part of a larger campaign of terror also reminded me of the women I know personally who have been sexually assaulted. Yet justice through the courts is not possible for most of the millions of victims of sexual violence. In January 2007, I listened to a radio documentary about how a group of women in Bosnia and Herzegovina had sought out and confronted their former torturers. While not institutionalized justice, on some level these women created their own empowering form of dealing with the crimes perpetrated against them.

War makes the body grow weary. But even though the war had been declared over ten years ago, her body still ached even though she was only twenty-five. Her spirit had died ten years ago and the only thing that revived it now was when news came of another one of them being found.

"He's living outside of town," Esma's voice said over the telephone.

"With his family?" she asked.

"Yes, with his family."

The three women gathered in front of Esma's house. Out of force of habit, of having performed a cumbersome but necessary ritual many

times over, they got into Esma's car. It was she who would drive them while Esma sat in the back with a map in her lap. Once in a while Esma would look up and tell her to turn left or right or to go straight ahead. She followed Esma's voice as if it was the last thing she could trust.

They had left town and were going through the countryside now. The soil had long ago been drained of its nutrients and the remaining farmers drew scrapes from the barren land. The unflattering winter sun gave a blanched white sheen to everything it touched, making dirty barns and rusted farm equipment look even more abstract and useless.

Like homing pigeons they zeroed in on his modest farmhouse; like Aeschylus' dark furies they descended.

He was outside and looked up when the women's car pulled up. Each year had etched another line in his face, but he was not old. The women getting out of their car made his heart beat faster as his emotions vacillated between guilt and anger.

"It was war; I had the right to do everything," he shouted at them when the women lined up and begun walking towards him.

Esma had told her that he had been recruited by so-and-so faction and that he served as a military policeman under Lugar. She looked at him hard as she approached him, but she did not recognize him. Men's faces had all blurred into one in her nightmares. One face would be replaced by an-

other above her with their smirks and animal sounds. She had lost the ability to know whether she was living in the past or whether she was truly safe in the present.

The three women stopped and stood in front of him, their backs straight and eyes staring intently, not at him, but through him.

"What have you got to say for yourself" she said, not having to name the crime.

He took a deep breath before puffing up his burly chest, evidence of the bulletproof vest underneath his green checkered shirt and dark blue coat.

She laughed bitterly inside. Why is he the one afraid for his life?

"It's in the past, just leave me alone, it's best for everybody," he pleaded with fake rationality, a child trying to cover up the fact that he wet his bed.

Esma had been tipped off by his neighbour who knew that he had served in the war.

Esma then told her and it was her job to contact Sarajevo to make further inquiries. A month later they were given a contact, a woman who had survived the rape camp near where he was stationed.

"Three out of twenty of us survived," the woman had said over the phone, the sound of young children screaming in the background making it difficult for her to hear. "Lugar would bring his militia group every week and they would spend the weekend."

No, there was no way to identify the hundreds of men that raped her as she was tied up. At first tied up physically, but soon her spirit was broken and they didn't have to fight a lifeless body.

The children cried more over the trembling line and she had to let the woman go back to the life she now lived.

Esma began shouting at him now, asking him if his wife knows, how he could live with the shame, how he could be so inhuman as to take away the dignity of another human being.

He didn't turn away but looked at them half-amused, provoking them further by trying to hide his fear. It was the same smug look men like that always wore as if trying desperately to mask the absence of a soul. Once in a while he would flinch though, Esma's words hitting something in that empty expanse and it was those moments that gave her hope.

When the three had finally turned to leave, he spat into the dirt beside him, the only act of protest he could muster now that he was unable to stop them from talking to him, unable to stop them from leaving him.

The women would call the police when they got home. Somewhere far away the women knew that a handful of war crime trials were going on against other men with the same smug look. But here, they knew there would be no police investigation. As they drove away, the women were no longer tied down, and they did not look back at the shrinking shadow of a man.

FEAR AND LOATHING AT MCGILL UNIVERSITY

by Andrew Biteen (Law II)

I'm not a man who uses drugs, nor do I hallucinate. So it was with great awe that I found myself submerged in a magical dream-world, gasping for air while being addressed by some creature closer to David Bowie in Labyrinth than to any real man I've met. Yet, somehow, it wasn't totally alien, for there were dozens of people who looked a lot like those we usually see. The dialogue was in a primitive type of English, absent phrases like "is it not the case..." or "per se." In the background, I heard the score from Forrest Gump, repeating its soft piano melody without changing. Another time, it was Bonnie Raitt, imploring me to join her and "give them something to talk about."

In retrospect, I should have suspected something when the Bowie-like creature started speaking of "Other-worlds" and "Replicant Snot." I should have screamed and ran away as soon as he referred to an unflinching young woman as "Soprano Girl" and a coolasitgoes young man as "Big Poppa." Yet, rather than fleeing, I decided to indulge in this community, to take it on as mine. I emerged from that liminal experience - betwixt and between realities - and re-coined myself "Truckstop," a Gumper of the first order.

Much like the Buddhist who transcends this world through chant and meditation, for the past four weeks

I have spent an hour and a half, every Tuesday and Thursday, transplanted to the Birks building on University, between Milton and Prince Arthur. Though it might pain the good folks in the administration, this FOR CREDIT experience is not led by a professor, for the professor departed early on, replaced by a man called "Bubba." Nor is this escape in a classroom, for as the professor disappeared, Birks 107 re-emerged as "Greenbough County." Meanwhile, the course that Minerva entitles "Religion 345: Art, Culture, and Politics" was reborn as "Box of Chocolates." And for that magical hour and a half, every Tuesday and Thursday, I join the other Gumpers as we explore the sensual dimensions of humanity.

Now if you're still reading this, you might be confused. After all, the Quid Novi is not the place for fantastic tales, and McGill Law is serious business. I apologize if I've wasted your time, and let me encourage you to get back to your facta and uncanned memos. Yet, the yarn I am weaving is no fantasy, but a true capture of a class I'm taking this semester, right down to the soundtrack. Blessed with 6 outoffaculty credits, I have ventured to LOWERCAMPUS and believe me when I tell you it's nothing like you imagine.

First off, the students are really smart. I think most of us used to be, but we've got our

heads so far up our civil codes, we lose track of what's interesting and important. Secondly, they work hard. In the past 3 weeks in Box of Chocolates, we've read 2 300-page books, written a personal reflection on each section of each book (including preface, bibliography, etc.), and composed a proper book review each time. We've also drawn pictures of shoes, reflected on movies experienced while wearing blindfolds or earplugs. We've met outside of class hours every week and engaged with leaders of the Jewish academic and religious community, and will be meeting with Aboriginal artists, Big Names (last year Parizeau and Bouchard, the year before Ethan Hawke), and are spending this Sunday at an art museum. All said, this is a lot of work. Lastly, the students on LOWERCAMPUS have fun, even when not sponsored by Men in Black (suits). They have fun before class, they have fun in class, and they have fun after class. Despite the oppressive workload, I rarely hear a complaint about how tired they are or about how hard it is to find a job for the summer of 2010.

If you've made it this far, good luck making up the lost time on your factum, you're screwed. Yet, let me finish with a plea to our community. I think we have a choice in our threeandahalf years here and I will paraphrase one of Bubba's oft-repeated mantras to illustrate it. We can passively receive our education, we can actively appreciate our education, or we proactively create our education. n

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